

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 03CV12247 WGY

MODERN CONTINENTAL)
CONSTRUCTION,)
Plaintiff)
v.)
RLI INSURANCE COMPANY,)
Defendant)

DEFENDANT'S MOTION FOR ADMISSION PRO HAC VICE

Now comes the local counsel for the defendant and respectfully moves that Attorney Frederic R. Mindlin of the law firm of Mound Cotton Wollan & Greengrass, One Battery Park Plaza, New York, NY 10004, be admitted to appear as counsel with the undersigned *pro hac vice* on behalf of the defendant in the above-captioned action. In support of this motion, the undersigned states as follows:

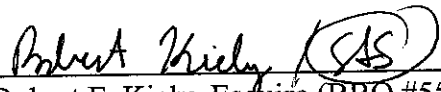
1. Frederic R. Mindlin, Esquire has been retained as counsel to represent the interests of the defendant in the above-captioned action;
2. Frederic R. Mindlin is admitted to practice before the state courts of New York since 1975, and he is also admitted to practice before the federal courts in Southern and Eastern and Northern District of New York as well;
3. Frederic R. Mindlin is a member in good standing in all courts referred to in paragraph 2 above;
4. Frederic R. Mindlin has previously been admitted to practice *pro hac vice* in courts in Massachusetts, although not in calendar year 2004;
5. The Affidavit of Frederic R. Mindlin, attached hereto and made a part hereof, is

submitted in furtherance of his motion;

6. Counsel for the plaintiff has stated that he has no objection to this motion for admission *pro hac vice* of Frederic R. Mindlin;

7. Frederic R. Mindlin, Esquire has expertise in insurance law and has been chosen specifically by the client for his expertise and also based on an existing attorney/client relationship with the defendant.

Dated: May 10, 2004



Robert E. Kiely, Esquire (BBO #556640)
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